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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 3-18-2004

Elaine Willig



Attorney Docket No. CHM-010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
Michael John RUTTER :  
Serial No.: 10/737,128 :  
Filed: December 15, 2003 :  
For: TRACHEOTOMY ENDOTRACHEAL TUBE

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.56, 1.97 and 1.98**  
**(WITHIN 3 MONTHS OF FILING OR PRIOR TO FIRST OFFICE ACTION)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.56, 1.97 and 1.98, Applicant requests the Examiner to make of record the documents listed on the attached PTO/SB/08 form. Copies of the listed documents that are not U.S. patent documents are also enclosed. In accordance with MPEP 609, the Examiner is requested to initial each document listed on the attached PTO/SB/08 form in the space provided, make a copy of the initialed form, and return the copy to Applicants' attorney.

This paper and the enclosed documents are being submitted in accordance with 37 CFR 1.97(b), i.e., within three (3) months of the application filing date or prior to a first Office Action on the merits. Therefore, no fee is believed to be due.

Respectfully submitted,

For:

By Donald E. Hasse

Donald E. Hasse  
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March 17, 2004



# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/737,128
Filing Date	December 15, 2003
First Named Inventor	Michael John Rutter
Art Unit	
Examiner Name	
Attorney Docket Number	CHM-010

Sheet 1 of 1

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)				
		US-	3,529,596	09-22-1970	Garner	
		US-	3,599,642	08-17-1971	Tindel	
		US-	3,964,488	06-22-1976	Ring, et al	
		US-	4,340,046	07-20-1982	Cox	
		US-	4,377,164	03-22-1983	Sabbota	
		US-	4,987,895	01-29-1991	Heimlich	
		US-	5,058,577	10-22-1991	Six	
		US-	5,333,608	08-02-1994	Cummins	
		US-	5,386,826	02-07-1995	Inglis, et al	
		US-	5,443,064	08-22-1995	Theis, et al	
		US-	5,823,184	10-20-1998	Gross	

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENT						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Nellcor, Critical Care Systems (5 pages), <a href="http://www.nellcor.com/products">http://www.nellcor.com/products</a> (7/21/02)	
		Nellcor, Critical Care Systems "LGT-Laryngectomy Tubes" (2 pages), <a href="http://www.nellcor.co/products">http://www.nellcor.co/products</a> (8/19/02)	
		Nellcor, Critical Care System "Hi-Lo® Tracheal Tube (2 pages), <a href="http://www..nellcor.com/products">http://www..nellcor.com/products</a> (8/15/02)	
		Nellcor, Critical Care System "Shiley® TracheoSoft® XLT Tracheostomy Tubes (2 pages), <a href="http://www..nellcor.com/products">http://www..nellcor.com/products</a> (8/15/02)	
		Nellcor, Critical Care System "Lo-Pro®/Lo-Contour® Tracheal Tube (4 pages), <a href="http://www..nellcor.com/products">http://www..nellcor.com/products</a> (8/15/02)	
		Nellcor, Critical Care System "Reinforced Tracheal Tube (2 pages), <a href="http://www..nellcor.com/products">http://www..nellcor.com/products</a> (8/15/02)	
		Portex, Airway Management - ICU (1 page), <a href="http://www.portex.com/airway/products/department">http://www.portex.com/airway/products/department</a> (8/15/02)	
		Portex, Airway Management, Helping you sustain life (1 page), <a href="http://www.portex.com/airway/home">http://www.portex.com/airway/home</a> (8/15/02)	
		Nellcor, A Quick Reference Guide to Mallinckrodt Tracheal Tubes, Tracheal Tube Restraint (2 pages) and Nasal RAE Tracheal Tube (1 page), <a href="http://www.nellcor.com/prod/Product">http://www.nellcor.com/prod/Product</a> (10/20/03)	

Examiner  
Signature

Date  
Considered